

### REMARKS/ARGUMENTS

This Amendment is in response to an Office Action dated April 6, 2006, in which the Examiner (1) rejected claims 2, 4, 6, 8-12, 22, 24 and 25 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,587,835 (“**Treyz**”) in view of U.S. Publication No. 2003/0154135 (“**Covington**”), (2) rejected claim 7 under 35 U.S.C. § 103(a) as being unpatentable over **Treyz** and **Covington**, and further in view of Communications Today (“**CT**”), and (3) rejected claims 23 and 26 under 35 U.S.C. § 103(a) as being unpatentable over **Treyz** in view of **Covington** and further in view of U.S. Patent No. 5,862,325 (“**Reed**”).

By the present amendment, Applicant has cancelled claims 8 and 24 and amended claims 2, 9, 22, 23 and 26.

Independent claims 22, 23 and 26 have been amended to more clearly distinguish from the cited references. Claim 22 is representative and recites a method “for providing information items from *an on-line yellow pages directory website on the internet* to a user operating a remote portable device, wherein the user has a computer that is separate from the portable device . . . and wherein the portable device may be used at remote locations away from the computer where not in direct communication with the *computer and without access to the internet and the directory website.*” Claim 22 further recites that the method includes:

“accessing the information items at the directory website . . .”

“placing the information items in an information shopping cart at the website . . .”

“transmitting the information shopping cart having the selected information items from the website to the portable . . .,” and

using the portable device to access the selected information items when the portable device is *at a remote location away from the computer and not in direct communication with the computer and without access to the directory website*” (emphasis added).

Applicant respectfully submits that the subject matter of claim 22 is neither taught nor suggested by the cited references, either alone or as combined.

**Treyz**, the newly cited reference, discloses the use of an in-home device 28 and a handheld device 12 for use in electronic shopping. While a shopping list may be created on the PC and downloaded to the handheld device (see column 10, lines 25-33), the downloading is not for purposes of providing “yellow pages directory website” listings to the handheld device, as in Applicant’s invention. Furthermore, the handheld device is not for use at remote locations “without direct address to the directory website.” In fact, referring to Figs. 1, 2, 13-15, 18 and 19 of **Treyz**, it is clear that the handheld device 12 is intended to be linked at all times to various systems (both at home and at a store), and is not intended for use in accessing directory listings when away from the user’s computer and where there is no without access to the directory website, as in Applicant’s invention. In particular, the handheld device 12 is described in **Treyz** as being used to “interact with a number of merchants or services in malls and other such environments,” and with a service provider 190 in order to access various databases (see column 21, lines 25-42).

Thus, Applicant believes that **Treyz** actually teaches away from Applicant’s invention, by disclosing a handheld device that has access to stores, malls and other databases, rather than being used remotely when away from locations where such information may be accessed.

While the Examiner cites **Covington** and **Reed** to support the rejection of the claims, such references likewise do not teach an arrangement where a portable device may be used to access a yellow pages directory website by downloading directory listings to a portable device from a personal home computer.

**Covington** teaches PDAs that are loaded and used only at a mall or store that is remote from a home computer used to access merchant websites (see Fig. 1). Thus, the PDAs in

**Covington** are not linked to a home computer at one location and then taken to a second location away from the home computer, as in Applicant's invention.

**Reed** discloses a conventional yellow pages directory server that may be accessed for on-line information. As noted in Applicant's earlier response, if anything, **Reed** teaches away from Applicant's invention, since it discloses accessing and communicating with a large, complex database by a consumer computer over the Internet (see, e.g., Fig. 1, and column 12, lines 25-30). The browsers needed for such communication could be the same as in Applicant's disclosed personal computer 1, but the **Reed** system does not solve the problem of accessing and using on-line directory information at a remote location using a portable device (e.g., by using Applicant's steps of providing a direct communications link for downloading such information to a portable device, and then using the portable device away from the computer where the information is needed by the user).

Independent claims 23 and 26 (as well as dependent claims 2, 4, 6-12 and 25) are allowable for at least the same reasons as stated above. Also, various additional limitations are recited in claim 26 and the dependent claims, such as "branding information identifying the operator of the directory website" being displayed at the portable device (claim 26).

## **Conclusion**

In view of the foregoing, Applicant believes all claims now pending in this application are in condition for allowance. The issuance of a formal Notice of Allowance at an early date is respectfully requested.

Application No. 09/991,158  
Amendment dated July 5, 2006  
Reply to Office Action of April 6, 2006

PATENT

If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at 303-571-4000.

Respectfully submitted,

Date: July 5, 2006

/Stephen F. Jewett/  
Stephen F. Jewett  
Reg. No. 27,565

TOWNSEND and TOWNSEND and CREW LLP  
Two Embarcadero Center, Eighth Floor  
San Francisco, CA 94111-3834  
Tel: 303-571-4000  
Fax: 415-576-0300  
SFJ/jln  
60812182 v1